

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AMERICAN ALTERNATIVE
INSURANCE CORP. ,

Case No. 2:14-CV-1085 JCM (VCF)

ORDER

Plaintiff(s),

v.

JUDY LAUN, et al.,

Defendant(s).

Presently before the court is defendants Judy Laun and Amnet, Inc.'s *second* proposed judgment. (Doc. # 52). On March 17, 2016, the court entered summary judgment in favor of defendants on plaintiff's claim for equitable subrogation. (*See* doc. # 47). The court ordered defendants to "submit an appropriate judgment *consistent* with th[e] order." (*Id.*) (emphasis added).

Defendants have again¹ failed to do so. The court's March 17, 2016, order granting summary judgment in their favor did not address costs under Rule 54(d)(1). For reasons unexplained to the court, defendants have submitted a proposed judgment that orders the recovery of costs in their favor. (*See* doc. # 52). The court did not address costs in its order for summary judgment for a reason. Rule 54(d)(1), Local Rule 54-1(a)–(c), and 28 U.S.C. §§ 1920, 1921, and 1923 collectively prescribe a specific *post-judgment* procedure for the allocation of costs, which are taxed by the clerk and not the court.

The court will therefore *again* reject the proposed judgment. Defendants are instructed once more to submit an *appropriate* judgment *consistent* with the court's March 17, 2016, order. (*See* doc. # 47). A judgment consistent with that order will not include any mention of the recovery

¹ The court has already rejected one proposed judgment submitted by defendants in the wrong form. (*See* doc. # 51).

1 of costs. The court refers defendants to Local Rule 54-1(a)–(c), which details the procedure for
2 recovering costs pursuant to Rule 54(d)(1).

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants Judy Laun
4 and Amnet, Inc.'s proposed judgment (doc. # 52) be, and the same hereby is, REJECTED.

5 IT IS FURTHER ORDERED that defendants Judy Laun and Amnet, Inc. shall submit an
6 appropriate judgment consistent with this order and the court's March 17, 2016, order (doc. # 47)
7 within seven (7) days of the entry of this order.

8 DATED April 29, 2016.

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UNITED STATES DISTRICT JUDGE